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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,409	10/31/2003	Babu Mani	139068USNP	2103

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EXAMINER	
HEFFINGTON, JOHN M	

ART UNIT	PAPER NUMBER
2179	

MAIL DATE	DELIVERY MODE
06/26/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/699,409	MANI ET AL.	
	Examiner	Art Unit	
	John M. Heffington	2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 April 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

This action is in response to the amendment filing of April 10, 2007. Claims 1-16 are pending and have been considered below.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1 and 4-9 and 12-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Sweeney et al. (US 2002/0083168 A1) in view of Lok et al. (US 2004/0049530 A1).

Claim 1: Sweeney discloses a communications system, comprising:

a. a data network (paragraph 0017);

b. a monitored terminal coupled to the network for communicating by sending and receiving data over the network (paragraph 0017);

c. a monitoring terminal for monitoring user activity on the monitored terminal (paragraph 0083);

but does not disclose a graphical proxy server in communication with the monitored terminal and with the monitoring terminal for: sending graphical commands to implement a graphical interface on the monitored terminal; sending graphical commands to the monitoring terminal indicative of actions taken on the monitored terminal. However, Lok discloses a graphical proxy server in communication with the monitored terminal and with the monitoring terminal for: sending graphical commands to implement a graphical interface on the monitored terminal; sending graphical commands to the monitoring terminal indicative of actions taken on the monitored terminal (paragraph 0021). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a graphical proxy server in communication with the monitored terminal and with the monitoring terminal for: sending graphical commands to implement a graphical interface on the monitored terminal; sending graphical commands to the monitoring terminal indicative of actions taken on the monitored terminal to Sweeney. One would have been motivated to add a graphical proxy server in communication with the monitored terminal and with the monitoring

terminal for: sending graphical commands to implement a graphical interface on the monitored terminal; sending graphical commands to the monitoring terminal indicative of actions taken on the monitored terminal to Sweeney to be able to monitor graphical events among the events that Sweeney monitors.

Claims 4 and 12: Sweeney and Lok disclose the communications system of claims 1 and 9, but do not disclose user actions on the monitored terminal are displayed on the monitoring terminal in real-time. However, it is obvious that if graphical messages or commands are sent from a server to one remote client (Lok, paragraphs 0020 and 0021) that the same graphical messages or commands could be sent to a second remote client simultaneously. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add that user actions on the monitored terminal are displayed on the monitoring terminal in real-time to Sweeney and Lok. One would have been motivated to add that user actions on the monitored terminal are displayed on the monitoring terminal in real-time to Sweeney and Lok in order to perform graphical user interface development or de-bugging.

Claims 5 and 13: Sweeney and Lok disclose the communications system of claim 1 and 9, but do not disclose the graphical commands indicative of action taken on the monitored terminal are stored in a file. However, Sweeney discloses recording said set of event data in a database (paragraph 0009). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add recording the

graphical commands in Lok in a file or database to Sweeney. One would have been motivated to add recording the graphical commands in Lok in a file or database to Sweeney in order to capture the graphical commands as the event data recorded in Sweeney.

Claims 6 and 14: Sweeney and Lok disclose the communications system of claims 5 and 13 and Sweeney further discloses the graphical commands indicative of action taken on the monitored terminal are time stamped (paragraph 0165).

Claims 7 and 15: Sweeney and Lok disclose the communications system of claims 1 and 9 and Sweeney further discloses presence information is sent from the monitored terminal to the graphical proxy server.

Claims 8 and 16: Sweeney and Lok disclose the communications system of claims 7 and 15 and Sweeney further discloses the monitoring terminal receives presence information from the graphical proxy server.

Claim 9: Sweeney discloses terminals sending and receiving data over a network but does not disclose a method of communicating over a data network, comprising the steps of: sending graphical commands from a graphical proxy server coupled to the data network to implement a graphical interface on a monitored terminal coupled to the data network; sending graphical commands to a monitoring terminal coupled to the data

network, where the graphical commands are indicative of actions taken on the monitored terminal. Lok discloses a method of communicating over a data network, comprising the steps of: sending graphical commands from a graphical proxy server coupled to the data network to implement a graphical interface on a monitored terminal coupled to the data network; sending graphical commands to a monitoring terminal coupled to the data network, where the graphical commands are indicative of actions taken on the monitored terminal (paragraph 0043). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a method of communicating over a data network, comprising the steps of: sending graphical commands from a graphical proxy server coupled to the data network to implement a graphical interface on a monitored terminal coupled to the data network; sending graphical commands to a monitoring terminal coupled to the data network, where the graphical commands are indicative of actions taken on the monitored terminal to Sweeney. One would have been motivated to add a method of communicating over a data network, comprising the steps of: sending graphical commands from a graphical proxy server coupled to the data network to implement a graphical interface on a monitored terminal coupled to the data network; sending graphical commands to a monitoring terminal coupled to the data network, where the graphical commands are indicative of actions taken on the monitored terminal to Sweeney in the event that the event data recorded by Sweeney is graphical data.

4. Claims 2 and 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sweeney in view of Lok (US 2004/0049530 A1) further in view of Dettmer (Packet Phone).

Claim 2 and 10: Sweeney and Lok disclose the communications system of claims 1 and 9 but do not disclose wherein the monitored terminal communicates voice signals over the data network using packetized data. Dettmer discloses a monitored terminal that communicates voice signals over the data network using packetized data. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a monitored terminal that communicates voice signals over the data network using packetized data to Sweeney and Lok. One would have been motivated to add a monitored terminal that communicates voice signals over the data network using packetized data in order to record the phone calls that Sweeney monitors.

5. Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sweeney (US 2002/0083168 A1) in view of Lok (US 2004/0049530 A1) and Dettmer (Packet Phone) further in view of Harris (US 20040013243 A1).

Claims 3 and 11: Sweeney, Lok and Dettmer disclose the communications system of claim 2 but do not disclose the voice signals are also stored in an audio file. Harris discloses voice signals that are also stored in an audio file. Therefore, it would have

been obvious to one having ordinary skill in the art at the time of the invention to add storing audio signals in an audio file to Sweeney, Lok and Dettmer. One would have been motivated to add storing audio signals in an audio file to Sweeney, Lok and Dettmer because Sweeney, Lok and Dettmer disclose monitoring terminal events, including voice events, therefore, recording these voice events is a natural extension of monitoring these events.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M. Heffington whose telephone number is (571) 270-1696. The examiner can normally be reached on Mon - Fri (Alternate Fridays off) 7:30 - 5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on (571) 272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH
5/29/2007

Weilun Lo
Supervisory Patent Examiner